

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HERMÈS INTERNATIONAL and
HERMÈS OF PARIS, INC.,

Plaintiffs,

-against-

MASON ROTHSCHILD,

Defendant.

CIVIL ACTION NO.

22-CV-00384 (JSR)

DECLARATION OF MEGAN A. CORRIGAN

I, Megan A. Corrigan, declare as follows:

I am an attorney associated with the firm of Baker & Hostetler LLP, attorneys for Plaintiffs Hermès International and Hermès of Paris, Inc. (“Hermès”) in the above-captioned case. I submit this declaration in support of Hermès’ Motion for Summary Judgment. I have firsthand knowledge of the matters stated herein.

1. Attached hereto as **Exhibit 1** is a true and correct copy of a compilation of magazine advertisements of the BIRKIN handbag produced by Hermès in this litigation.

2. Attached hereto as **Exhibit 2** is a true and correct copy of a compilation of United States press coverage of the BIRKIN handbag produced by Hermès in this litigation.

3. Attached hereto as **Exhibit 3** is a true and correct copy of a compilation of international press coverage of the BIRKIN handbag produced by Hermès in this litigation.

4. Attached hereto as **Exhibit 4** is a true and correct copy of a compilation of screenshots of scenes from television shows and movies featuring the BIRKIN handbag produced by Hermès in this litigation.

5. Attached hereto as **Exhibit 5** is a true and correct copy of Exhibit 28 from the August 4, 2022 deposition of Mason Rothschild, a screenshot of “MetaBirkins and Beyond,” from <https://mirror.xyz/masonrothschild.eth/wnu9lNib4HflsLlITwzarSDtzOigfHHgdHepF3pjOOs>, captured on July 12, 2022, bearing bates numbers HERMES_0009806 – HERMES_0009807.

6. Attached hereto as **Exhibit 6** is a true and correct copy of a compilation of screenshots of the METABIRKINS Website, accessed on December 1, 2021, December 20, 2021, and January 14, 2022, bearing bates numbers HERMES_0037671 – HERMES_0037672, HERMES_0037448 – HERMES_0037449, and HERMES_0037502, respectively.

7. Attached hereto as **Exhibit 7** is a true and correct copy of Exhibit 39 from the August 4, 2022 deposition of Mason Rothschild, a screenshot of a *Yahoo Finance* transcript titled, “NFT artist: ‘MetaBirkins’ project aims to create ‘same kind of illusion that it has in real life’,” dated December 6, 2021, from https://finance.yahoo.com/video/nft-artist-metabirkins-project-aims-200930209.html?fr=sycsrp_catchall, and captured on August 2, 2022, using PageVault¹, bearing bates numbers HERMES_0010581 – HERMES_0010588.

8. Attached hereto as **Exhibit 8** is a true and correct copy of an article in *Harper’s Bazaar*, The Legacy Issue, titled, “The Mighty, MIGHTY Birkin,” bearing bates numbers HERMES_0001768 – HERMES_0001772.

9. Attached hereto as **Exhibit 9** is a true and correct copy of a screenshot of a *Vanity Fair* article, titled “Inside the Hermès Workshop That Makes Its Iconic Bags,” dated September 16, 2021, from <https://www.vanityfair.com/style/2021/09/in-the-details-hermes>, and accessed on

¹ PageVault is a service that helps legal professionals capture Web Based Content in a manner that preserves and accurately portrays the Web Based Content as of the date of the capture.

January 10, 2022, bearing bates numbers HERMES_0037579 – HERMES_0037587.

10. Attached hereto as **Exhibit 10** is a true and correct copy of a document bearing bates numbers Rothschild006656 – Rothschild006658.

11. Attached hereto as **Exhibit 11** is a true and correct copy of a screenshot of the ICANN Lookup's Registration Data Lookup Tool results for metabirkins.com, captured on October 3, 2022, using PageVault.

12. Attached hereto as **Exhibit 12** is a true and correct copy of excerpts from the August 30, 2022 deposition of Hermès' 30(b)(6) witness, Nicolas Martin.

13. Attached hereto as **Exhibit 13** is a true and correct copy of an excerpt of the U.S. Trademark and Patent Office's Trademark Status & Document Retrieval record for Registration No. 2991927, generated on July 7, 2022, bearing bates numbers HERMES_0007355 – HERMES_0007357.

14. Attached hereto as **Exhibit 14** is a true and correct copy of an excerpt of the U.S. Trademark and Patent Office's Trademark Status & Document Retrieval record for Registration No. 3936105, generated on July 7, 2022, bearing bates numbers HERMES_0007673 – HERMES_0007675.

15. Attached hereto as **Exhibit 15** is a true and correct copy of a compilation of excerpts of the U.S. Trademark and Patent Office's Trademark Status & Document Retrieval records for the HERMÈS word mark registrations and a chart of these HERMÈS word mark registrations produced by Hermès in this litigation.

16. Attached hereto as **Exhibit 16** is a true and correct copy of the U.S. Trademark and Patent Office's Trademark Status & Document Retrieval record for Application No. 97566629, generated on September 1, 2022, bearing bates numbers HERMES_0033746 –

HERMES_0033758.

17. Attached hereto as **Exhibit 17** is a true and correct copy of the U.S. Trademark and Patent Office's Trademark Status & Document Retrieval record for Application No. 97566611, generated on September 1, 2022, bearing bates numbers HERMES_0033714 – HERMES_0033732.

18. Attached hereto as **Exhibit 18** is a true and correct copy of Mason Rothschild's Responses and Objections to Plaintiffs' First Set of Requests for Admissions, dated July 6, 2022.

19. Attached hereto as **Exhibit 19** is a true and correct copy of Exhibit 62 from the August 10 and September 7, 2022 deposition of Kenneth Loo, a text message exchange between Mason Rothschild and Kenneth Loo, dated October 4, 2021, bearing bates numbers Rothschild008290 – Rothschild008294.

20. Attached hereto as **Exhibit 20** is a true and correct copy of Exhibit 20 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild and Eric Ram, dated October 24, 2021, bearing bates numbers Rothschild008342 – Rothschild008351.

21. Attached hereto as **Exhibit 21** is a true and correct copy of excerpts from the August 4, 2022 deposition of Mason Rothschild.

22. Attached hereto as **Exhibit 22** is a true and correct copy of Exhibit 21 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild and Aaron Maresky, dated October 28, 2021, bearing bates numbers Rothschild008383 – Rothschild008388.

23. Attached hereto as **Exhibit 23** is a true and correct copy of Exhibit 22 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason

Rothschild and Mark Design, dated November 1, 2021, bearing bates numbers Rothschild008390 – Rothschild008397.

24. Attached hereto as **Exhibit 24** is a true and correct copy of Exhibit 57 from the August 4, 2022 deposition of Mason Rothschild, a screenshot bearing bates number Rothschild008859.

25. Attached hereto as **Exhibit 25** is a true and correct copy of excerpts from the SMI Aware Export of the METABIRKINS page on LooksRare, <https://looksrare.org/collections/0x566b73997F96c1076f7cF9e2C4576Bd08b1A3750>, captured on January 21, 2022, bearing bates numbers HERMES_0009983 – HERMES_0009985, HERMES_0009989 & HERMES_0010286.

26. Attached hereto as **Exhibit 26** is a true and correct copy of excerpts from the SMI Aware Export of the METABIRKINS page on Zora, <https://zora.co/collections/0x566b73997F96c1076f7cF9e2C4576Bd08b1A3750>, captured on January 21, 2022, bearing bates numbers HERMES_0008868 – HERMES_0008876 & HERMES_0009075.

27. Attached hereto as **Exhibit 27** is a true and correct copy of a screenshot of the METABIRKINS page on Rarible, bearing bates numbers HERMES_0008866 – HERMES_000867.

28. Attached hereto as **Exhibit 28** is a true and correct copy of a screenshot of the METABIRKINS page on OpenSea, <https://opensea.io/collection/metabirkins/>, accessed on December 12, 2021, bearing bates numbers HERMES_0037512 – HERMES_0037514.

29. Attached hereto as **Exhibit 29** is a true and correct copy of a text message exchange between Mason Rothschild and Mark Design, dated November 29, 2021, bearing bates numbers

Rothschild014947 – Rothschild014958.

30. Attached hereto as **Exhibit 30** is a true and correct copy of excerpts of a text message exchange between Mason Rothschild and Mark Design, dated December 4, 2021, bearing bates numbers Rothschild015030, Rothschild015036 – Rothschild015039.

31. Attached hereto as **Exhibit 31** is a true and correct copy of excerpts of a text message exchange between Mason Rothschild and Mark Design, dated December 5, 2021, bearing bates numbers Rothschild015044, Rothschild015033.

32. Attached hereto as **Exhibit 32** is a true and correct copy of a text message exchange between Mason Rothschild and Mark Design, dated December 9, 2021, bearing bates numbers Rothschild015214 – Rothschild015236.

33. Attached hereto as **Exhibit 33** is a true and correct copy of a text message exchange between Mason Rothschild and Jesse Lee, dated December 27, 2021, bearing bates numbers Rothschild009768 – Rothschild009769.

34. Attached hereto as **Exhibit 34** is a true and correct copy of Exhibit 179 from the September 23, 2022 deposition of Dr. Blake Gopnick, the September 1, 2022 Expert Report of Dr. Blake Gopnik.

35. Attached hereto as **Exhibit 35** is a true and correct copy of excerpts of Exhibit 117 from the September 15, 2022 deposition of Truman Sacks, a text message exchange between Mason Rothschild, Moshe Sacks, and Truman Sacks, dated December 3, 2021 bearing bates numbers SACKS_000242 – SACKS_000257, SACKS_000266, SACKS_000269 – SACKS_00070, SACKS_000275 - SACKS_000276.

36. Attached hereto as **Exhibit 36** is a true and correct copy of excerpts from the September 15, 2022 deposition of Truman Sacks.

37. Attached hereto as **Exhibit 37** is a true and correct copy of excerpts from the SMI Aware Export of the METABIRKINS page on Instagram, <https://www.instagram.com/metabirkins/>, captured on January 18, 2022, bearing starting bates number HERMES_0008348.

38. Attached hereto as **Exhibit 38** is a true and correct copy of excerpts from the SMI Aware Export of the METABIRKINS page on Twitter, <https://twitter.com/MetaBirkins>, captured on January 19, 2022, bearing starting bates number HERMES_0009089.

39. Attached hereto as **Exhibit 39** is a true and correct copy of a screenshot from the METABIRKINS Discord Sever, bearing bates numbers HERMES_0037424 – HERMES_0037425.

40. Attached hereto as **Exhibit 40** is a true and correct copy of screenshots of the METABIRKINS Discord Server.

41. Attached hereto as **Exhibit 41** is a true and correct copy from the MetaBirkins Twitter, <https://twitter.com/MetaBirkins>, captured on October 4, 2022, using PageVault.

42. Attached hereto as **Exhibit 42** is a true and correct copy of excerpts from the September 19, 2022 deposition of Spencer Krejci.

43. Attached hereto as **Exhibit 43** is a true and correct copy of excerpts from the September 23, 2022 deposition of Dr. Blake Gopnick.

44. Attached hereto as **Exhibit 44** is a true and correct copy of Exhibit 201 from the September 23, 2022 deposition of Dr. Blake Gopnick, a *New York Times* article titled, “One Year After Bepple, the NFT Has Changed Artists. Has it Changed Art?” dated March 3, 2022, bearing bates numbers Gopnick_001036 – Gopnick_001042.

45. Attached hereto as **Exhibit 45** is a true and correct copy of excerpts from the

September 22, 2022 deposition of David Cohen.

46. Attached hereto as **Exhibit 46** is a true and correct copy of Exhibit 26 from the August 4, 2022 deposition of Mason Rothschild, a screenshot of Mason Rothschild's Twitter account, bearing bates number HERMES_0009801.

47. Attached hereto as **Exhibit 47** is a true and correct copy of a text message exchange between Mason Rothschild and Mark Design, dated November 7, 2021, bearing bates numbers Rothschild008463 – Rothschild008470.

48. Attached hereto as **Exhibit 48** is a true and correct copy of excerpts of a text message exchange between Mason Rothschild and Mark Design, dated October 4, 2021, bearing bates numbers Rothschild014566 – Rothschild014567, Rothschild014571, Rothschild014588, Rothschild014594.

49. Attached hereto as **Exhibit 49** is a true and correct copy of a text message exchange between Mason Rothschild and Lauren, dated October 20, 2021, bearing bates numbers Rothschild008328 – Rothschild008329.

50. Attached hereto as **Exhibit 50** is a true and correct copy of excerpts of Exhibit 84 from the August 10, 2022 deposition of Jesse Lee, a text message exchange between Mason Rothschild and Lauren, dated November 30, 2021, bearing bates numbers Rothschild008678 – Rothschild008679, Rothschild008683 – Rothschild008684, Rothschild008686 – Rothschild008692, Rothschild008695 – Rothschild008696.

51. Attached hereto as **Exhibit 51** is a true and correct copy of Exhibit 30 from the August 4, 2022 deposition of Mason Rothschild, a document bearing bates numbers Rothschild007790.

52. Attached hereto as **Exhibit 52** is a true and correct copy of excerpts of Exhibit

111 from the September 15, 2022 deposition of Truman Sacks, a text message exchange between Mason Rothschild, Moshe Sacks, and Truman Sacks, dated November 30, 2021 through December 3, 2021, bearing bates numbers SACKS_000001 – SACKS_000004, SACKS_000006, SACKS_000026 – SACKS_000033, SACKS_000046 – SACKS_000050, SACKS_000072.

53. Attached hereto as **Exhibit 53** is a true and correct copy of a text message exchange between Mason Rothschild, Truman Sacks, and Moshe Sacks, bearing bates number SACKS_000299.

54. Attached hereto as **Exhibit 54** is a true and correct copy of a text message exchange between Mason Rothschild and an individual with the phone number +14242459090, dated December 2, 2021, bearing bates numbers Rothschild008800 – Rothschild008818.

55. Attached hereto as **Exhibit 55** is a true and correct copy of Exhibit 19 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild and Mark Design, dated October 19, 2021, bearing bates numbers Rothschild008303 – Rothschild008322.

56. Attached hereto as **Exhibit 56** is a multi-media TikTok video, accessible at <https://www.tiktok.com/@charlesgross/video/7039090184692043013?lang=en>.

57. Attached hereto as **Exhibit 57** is a multi-media TikTok video, accessible at <https://www.tiktok.com/@arielabench/video/7042374878397435183?lang=en>.

58. Attached hereto as **Exhibit 58** is a multi-media TikTok video, accessible at https://www.tiktok.com/@alyssamosley_/video/7038626918119247150?lang=en.

59. Attached hereto as **Exhibit 59** is a true and correct copy of Exhibit 48 from the August 4, 2022 deposition of Mason Rothschild, a screenshot of the METABIRKINS Discord

bearing bates number HERMES_0008338.

60. Attached hereto as **Exhibit 60** is a true and correct copy of a compilation of images bearing the bates numbers HERMES_002396 – HERMES_002399.

61. Attached hereto as **Exhibit 61** is a true and correct copy of compilation of images bearing the bates numbers HERMES_0023400 – HERMES_0023402.

62. Attached hereto as **Exhibit 62** is a true and correct copy of a screenshot of a *Forbes* article, “How Luxury Retail’s Big Metaverse Fashion Week Experiment in Decentraland Played Out With Virtual Stores, NFT Wearables, A Bored Ape Collaboration And More”, bearing the bates numbers HERMES_0010621 – HERMES_0010628, captured on August 2, 2022 using PageVault.

63. Attached hereto as **Exhibit 63** is a true and correct copy of an article titled “How Fashion and NFTs Found Themselves in a Beneficial Partnership”, bearing the bates numbers HERMES_0010482 – HERMES_0010485, captured on August 1, 2022, using PageVault.

64. Attached hereto as **Exhibit 64** is a true and correct copy of a *New York Times* article titled “What to Wear in the Metaverse”, bearing the bates numbers HERMES_0010554 – HERMES_0010563, captured on August 1, 2022, using PageVault.

65. Attached hereto as **Exhibit 65** is a true and correct copy of an article titled “Diving into Digital: Our Favorite NFT, Virtual Fashion and Web3 Projects of June 2022”, bearing the bates numbers HERMES_0010429 – HERMES_0010446, captured on August 1, 2022, using PageVault.

66. Attached hereto as **Exhibit 66** is a true and correct copy an article titled “Glitches, Glamour, and Graphics Cards: Notes From Decentraland’s First Metaverse Fashion Week”, bearing the bates numbers HERMES_0009713 – HERMES_0010725.

67. Attached hereto as **Exhibit 67** is a true and correct copy of excerpts of Exhibit 115 from the September 15, 2022 deposition of Truman Sacks, a text message exchange between Mason Rothschild, Moshe Sacks, and Truman Sacks, dated December 16, 2021 through June 7, 2022, bearing bates numbers SACKS_000109 – SACKS_000111, SACKS_000120 – SACKS_000122, SACKS_000125 – SACKS_000130, SACKS_000143, SACKS_000154, SACKS_000156, SACKS_000159, SACKS_000168 – SACKS_000169, SACKS_000171 – SACKS_000172, SACKS_000178 – SACKS_000182, SACKS_000186, SACKS_000188, SACKS_000191.

68. Attached hereto as **Exhibit 68** is a true and correct copy of excerpts from the August 10 and September 7, 2022 deposition of Kenneth Loo.

69. Attached hereto as **Exhibit 69** is a true and correct copy of Exhibit 37 from the August 4, 2022 deposition of Mason Rothschild, an email from Kenneth Loo to Clementina Jackson and Clara Jeon, sent December 17, 2021, bearing bates number KLO_000030.

70. Attached hereto as **Exhibit 70** is a true and correct copy of a screenshot of “Hermès Goes Virtual With Launch of Birkin Bags as NFTs,” from <https://www.elle.com/uk/fashion/a38536774/birkin-bag-nft/>, captured August 1, 2022, using PageVault, bearing bates numbers HERMES_0010293 – HERMES_0010299.

71. Attached hereto as **Exhibit 71** is a true and correct copy of a screenshot of the Google Search results for “elle metabirkin nft,” captured February 1, 2022, bearing bates numbers HERMES_0009698 – HERMES_0009699.

72. Attached hereto as **Exhibit 72** is a true and correct copy of a screenshot of “Mason Rothschild’s ‘MetaBirkin’ NFTs Sell for Record Prices,” from <https://www.lofficiellusa.com/fashion/hermes-metabirkins-nfts->

[collection?fbclid=IwAR3YZzeAnnNf0jgznCMs3cieqkHuFfwfWK3XIjECVY3MrSAgYYdTA4Rf-KE](https://www.facebook.com/HERMES0037474/), accessed March 1, 2022, bearing bates numbers HERMES_0037474 – HERMES_0037476.

73. Attached hereto as **Exhibit 73** is a true and correct copy of a text message exchange between Mason Rothschild and Micah Spears, dated December 17, 2021, bearing bates numbers Rothschild016023 – Rothschild016103.

74. Attached hereto as **Exhibit 74** is a true and correct copy of Exhibit 65 from the August 10 and September 7, 2022 deposition of Kenneth Loo, an email from Kenneth Loo to Alyssa Kelly, Clara Jeon, copying Mason Rothschild, sent December 18, 2021, bearing bates numbers KLOO_0000033.

75. Attached hereto as **Exhibit 75** is a true and correct copy of a screenshot of “Metaverse clothing, travel, plastic surgery: Experts predict life in 2030,” from <https://nypost.com/2022/01/08/experts-predict-living-in-the-metaverse-by-2030/>, captured January 26, 2022, bearing bates numbers HERMES_0036014 – HERMES_0036030.

76. Attached hereto as **Exhibit 76** is a true and correct copy of an article dated May 23, 2022 from a publication *Challenges*, captured October 6, 2022 using PageVault.

77. Attached hereto as **Exhibit 77** is a true and correct copy of excerpts from the September 14, 2022 deposition of Boriana Guimberteau.

78. Attached hereto as **Exhibit 78** is a true and correct copy of Exhibit 104 from the September 14, 2022 deposition of Boriana Guimberteau, a document bearing bates numbers GUIMBERTEAU_000070 – GUIMBERTEAU_000081.

79. Attached hereto as **Exhibit 79** is a true and correct copy of Exhibit 105 from the September 14, 2022 deposition of Boriana Guimberteau, a document bearing bates numbers

GUIMBERTEAU_000037 – GUIMBERTEAU_000066.

80. Attached hereto as **Exhibit 80** is a true and correct copy of Exhibit 106 from the September 14, 2022 deposition of Boriana Guimberteau, a March 3, 2022 affidavit of Boriana Guimberteau, bearing bates number GUIMBERTEAU_000067.

81. Attached hereto as **Exhibit 81** is a true and correct copy of Exhibit 107 from the September 14, 2022 deposition of Boriana Guimberteau, a March 3, 2022 declaration of Boriana Guimberteau, bearing bates numbers GUIMBERTEAU_000068 – GUIMBERTEAU_000069.

82. Attached hereto as **Exhibit 82** is a true and correct copy of excerpts of Exhibit 155 from the September 22, 2022 deposition of David Cohen, a text message exchange between Mason Rothschild and David Cohen, dated December 7, 2021, bearing bates numbers Rothschild015158, Rothschild015172 – Rothschild015179, Rothschild015184 – Rothschild015185.

83. Attached hereto as **Exhibit 83** is a true and correct copy of excerpts of Exhibit 162 from the September 22, 2022 deposition of David Cohen, a text message exchange between Mason Rothschild and David Cohen, dated January 5, 2022, bearing bates numbers Rothschild016798 – Rothschild016810.

84. Attached hereto as **Exhibit 84** is a true and correct copy of Exhibit 74 from the August 10 and September 7, 2022 deposition of Kenneth Loo, a text message exchange between Mason Rothschild and Kenneth Loo, dated January 21, 2022, bearing the bates numbers Rothschild017151 – Rothschild017172.

85. Attached hereto as **Exhibit 85** is a true and correct copy of Exhibit 24 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild and Danny Winter, dated November 12, 2021, bearing the bates numbers Rothschild008526 – Rothschild008528.

86. Attached hereto as **Exhibit 86** is a true and correct copy of excerpts from the August 10, 2022 deposition of Jesse Lee.

87. Attached hereto as **Exhibit 87** is a true and correct copy of a text message exchange between Mason Rothschild and Mark Design, dated October 23, 2021, bearing the bates numbers Rothschild014669 – Rothschild014682.

88. Attached hereto as **Exhibit 88** is a true and correct copy of excerpts of Exhibit 110 from the September 15, 2022 deposition of Truman Sacks, a text message exchange between Mason Rothschild and Truman Sacks, dated November 19, 2021, bearing bates numbers Rothschild014849, Rothschild014853 – Rothschild014855, Rothschild014857 – Rothschild014859, Rothschild014866 – Rothschild014867.

89. Attached hereto as **Exhibit 89** is a true and correct copy of excerpts of Exhibit 51 to the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild and Truman Sacks, dated November 29, 2021, bearing bates numbers Rothschild008646, Rothschild008648 – Rothschild008650, Rothschild008652, Rothschild008654, Rothschild008656 – Rothschild008658, Rothschild008664 – Rothschild008665.

90. Attached hereto as **Exhibit 90** is a true and correct copy of excerpts of Exhibit 90 from the August 10, 2022 deposition of Jesse Lee, a text message exchange between Mason Rothschild, Alex Sacks, Jesse Lee, and Truman Sacks, dated December 3, 2021, bearing bates numbers Rothschild008853, Rothschild008902, Rothschild008946 – Rothschild008947, Rothschild008950 – Rothschild008957, Rothschild008962 – Rothschild008966.

91. Attached hereto as **Exhibit 91** is a true and correct copy of excerpts of Exhibit 93 from the August 10, 2022 deposition of Jesse Lee, a text message exchange between Mason

Rothschild and Jesse Lee, dated December 7, 2021, bearing bates numbers Rothschild009088 – Rothschild009092, Rothschild009095 – Rothschild009098.

92. Attached hereto as **Exhibit 92** is a true and correct copy of excerpts of a text message exchange between Mason Rothschild and Jerry Lu, dated December 16, 2021, bearing bates numbers Rothschild009283, Rothschild009288 – Rothschild009289, Rothschild009294 – Rothschild009297.

93. Attached hereto as **Exhibit 93** is a true and correct copy of excerpts of Exhibit 44 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild, Alex Sacks, Truman Sacks, and Jesse Lee, dated December 22, 2021, bearing bates numbers Rothschild 009667 – Rothschild 009670, Rothschild 009679 – Rothschild 009689, Rothschild 009688 – Rothschild 009689.

94. Attached hereto as **Exhibit 94** is a true and correct copy of a screenshot of the Social Blade Twitter Statistics for “Mason Rothschild’s Twitter Stats Summary Profile,” <https://socialblade.com/twitter/user/masonrothschild>, captured on October 4, 2022, using PageVault.

95. Attached hereto as **Exhibit 95** is a true and correct copy of a text message exchange between Mason Rothschild and Mark Design, dated March 21, 2021, bearing bates numbers Rothschild011295 – Rothschild011299.

96. Attached hereto as **Exhibit 96** is a true and correct copy of excerpts of Exhibit 168 from the September 22, 2022 deposition of David Cohen, a text message exchange between Mason Rothschild and David Cohen, dated February 10, 2022, bearing bates numbers Rothschild017378 – Rothschild017386.

97. Attached hereto as **Exhibit 97** is a true and correct copy of Exhibit 63 from the

August 10 and September 7, 2022 deposition of Kenneth Loo, a text message exchange between Mason Rothschild and Kenneth Loo, dated November 10, 2021, bearing bates numbers Rothschild008498 – Rothschild008503.

98. Attached hereto as **Exhibit 98** is a true and correct copy of an email from Mason Rothschild to Cedar Pasori, sent November 18, 2021, bearing bates numbers Rothschild014824 – Rothschild014826.

99. Attached hereto as **Exhibit 99** is a true and correct copy of Exhibit 9 from the August 4, 2022 deposition of Mason Rothschild, a screenshot from the Terminal 27 website, <https://terminal27.com/products/sex-letter-belt-bdark-blue>, captured on August 1, 2022, using PageVault, bearing bates numbers HERMES_0010516 – HERMES_0010518.

100. Attached hereto as **Exhibit 100** is a true and correct copy of Exhibit 10 from the August 4, 2022 deposition of Mason Rothschild, a screenshot from the Terminal 27 website, <https://terminal27.com/products/lady-bag>, captured on August 1, 2022, using PageVault, bearing bates numbers HERMES_0010519 – HERMES_0010521.

101. Attached hereto as **Exhibit 101** is a true and correct copy of Exhibit 11 from the August 4, 2022 deposition of Mason Rothschild, a screenshot from the Terminal 27 website, <https://terminal27.com/collections/womens-martine-rose/products/irn-belt>, captured on August 1, 2022, using PageVault, bearing bates numbers HERMES_0010529 – HERMES_0010531.

102. Attached hereto as **Exhibit 102** is a true and correct copy of Exhibit 12 from the August 4, 2022 deposition of Mason Rothschild, a screenshot from the Terminal 27 website, <https://terminal27.com/products/handbag-4>, captured on August 1, 2022 using PageVault, bearing bates numbers HERMES_0010532 – HERMES_0010534.

103. Attached hereto as **Exhibit 103** is a true and correct copy of Exhibit 13 from the

August 4, 2022 deposition of Mason Rothschild, a screenshot from the Terminal 27 website, <https://terminal27.com/products/galaxy-bag>, captured on August 1, 2022, using PageVault, bearing bates numbers HERMES_0010535 – HERMES_0010537.

104. Attached hereto as **Exhibit 104** is a true and correct copy of Exhibit 14 from the August 4, 2022 deposition of Mason Rothschild, a screenshot from the Terminal 27 website, <https://terminal27.com/products/everyday-platform-boot>, captured on August 1, 2022, using PageVault, bearing bates numbers HERMES_0010538 – HERMES_0010540.

105. Attached hereto as **Exhibit 105** is a true and correct copy of Exhibit 15 from the August 4, 2022 deposition of Mason Rothschild, a screenshot from the Terminal 27 website, <https://terminal27.com/products/slingback-heels>, captured on August 1, 2022, using PageVault, bearing bates numbers HERMES_0010526 – HERMES_0010528.

106. Attached hereto as **Exhibit 106** is a true and correct copy of excerpts of Exhibit 17 from the August 4, 2022 deposition of Mason Rothschild, a screenshot of a *Business of Fashion* Article, “A Clubhouse for LA’s Crypto Cool Kids,” dated May 6, 2022, from <https://vw.businessoffashion.com/articles/retail/a-clubhouse-for-las-crypto-coolkids/>, and captured on August 2, 2022, using PageVault, bearing bates numbers HEREMS_0010589 – HERMES_0010593.

107. Attached hereto as **Exhibit 107** is a true and correct copy of a document bearing bates numbers TERMINAL27-00001 – TERMINAL27-00011.

108. Attached hereto as **Exhibit 108** is a true and correct copy of excerpts of a text message exchange between Mason Rothschild and Micah Spears, dated December 18, 2021, bearing bates numbers Rothschild016185 – Rothschild016187, Rothschild016191 – Rothschild016213, Rothschild016231, Rothschild016236 – Rothschild0162340.

109. Attached hereto as **Exhibit 109** is a true and correct copy of an email from Kenneth Loo to Mason Rothschild, sent November 23, 2021, bearing bates number Rothschild014917.

110. Attached hereto as **Exhibit 110** is a true and correct copy of Exhibit 40 from the August 4, 2022 deposition of Mason Rothschild, an email from Kenneth Loo to Christina Criddle and Mason Rothschild, sent December 6, 2021, bearing bates numbers KLOO_0000037 – KLOO_0000044.

111. Attached hereto as **Exhibit 111** is a true and correct copy of excerpts of Exhibit 25 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild and Mark Design, dated November 4, 2021, bearing bates numbers Rothschild008409 – Rothshcild008443.

112. Attached hereto as **Exhibit 112** is a true and correct copy of Exhibit 112 from the September 15, 2022 deposition of Truman Sacks, a text message exchange between Mason Rothschild, Truman Sacks, and Moshe Sacks, bearing starting bates number SACKS_000332.

113. Attached hereto as **Exhibit 113** is a true and correct copy of a text message exchange between Mason Rothschild and Mark Design, dated December 11, 2021, bearing bates numbers Rothschild015470 – Rothschild015486.

114. Attached hereto as **Exhibit 114** is a true and correct copy of a document bearing bates numbers Rothschild007776 – Rothschild007789.

115. Attached hereto as **Exhibit 115** is a true and correct copy of an email and attachment from Dylan Reich to Mason Rothschild, copying Christopher J. Sprigman, Jason Boyarski, Austin Rosen, David Cohen, and Taylor Pichler, sent April 19, 2022, bearing bates numbers EF0000080 – EF0000087.

116. Attached hereto as **Exhibit 116** is a true and correct copy of Exhibit 4 from the

August 4, 2022 deposition of Mason Rothschild, a document titled “MASON ROTHSCCHILD MARKETING STRATEGIST 2014.”

117. Attached hereto as **Exhibit 117** is a true and correct copy of Exhibit 6 from the August 4, 2022 deposition of Mason Rothschild, a screenshot of *Hypebeast* Article, “Mason Rothschild ‘THE ART SCHOOL DROPOUT’ T-Shirt Collection,” dated November 16, 2015, from https://hypebeast.com/2015/11/mason-rothschild-art-school-dropout_tshirt, and captured on August 1, 2022, using PageVault, bearing bates numbers HERMES_0010544 – HERMES_0010553.

118. Attached hereto as **Exhibit 118** is a true and correct copy of a text message exchange between Mason Rothschild and an individual with the phone number +14242459090, dated January 17, 2022, bearing bates numbers Rothschild010196 – Rothschild010201.

119. Attached hereto as **Exhibit 119** is a true and correct copy of excerpts of Exhibit 49 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild and Eric Ram, dated December 16, 2021, bearing bates numbers Rothschild009358, Rothschild009363 – Rothschild009368.

120. Attached hereto as **Exhibit 120** is a true and correct copy of Exhibit 47 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild and Micah Spear, dated February 18, 2022, bearing bates numbers Rothschild010857 – Rothschild010867.

121. Attached hereto as **Exhibit 121** is a true and correct copy of a text message exchange between Mason Rothschild and Mark Design, dated October 15, 2021, bearing bates numbers Rothschild014643 – Rothschild014645.

122. Attached hereto as **Exhibit 122** is a true and correct copy of Defendant’s Initial

Disclosures, dated April 22, 2022.

123. Attached hereto as **Exhibit 123** is a true and correct copy of Exhibit 43 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild and Mark Design, dated January 16, 2022, bearing bates numbers Rothschild01089 – Rothschild010192.

124. Attached hereto as **Exhibit 124** is a true and correct copy of excerpts of Exhibit 50 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild and David Cohen, dated January 21, 2022, bearing bates numbers Rothschild010391 – Rothschild010395.

125. Attached hereto as **Exhibit 125** is a true and correct copy of a screenshot of a post from MasonRothschild.eth on the METABIRKINS Discord Server, dated July 19, 2022.

126. Attached hereto as **Exhibit 126** is a true and correct copy of Exhibit 42 from the August 4, 2022 deposition of Mason Rothschild, a screenshot of a METABIRKINS Instagram post, dated January 17, 2022.

127. Attached hereto as **Exhibit 127** is a true and correct copy of Exhibit 46 from the August 4, 2022 deposition of Mason Rothschild, a text message exchange between Mason Rothschild and Elias Paz, dated December 7, 2021, bearing bates numbers Rothschild009158 – Rothschild009165.

128. Attached hereto as **Exhibit 128** is a true and correct copy of Defendant's First Amended Initial Disclosures, dated September 22, 2022.

129. Attached hereto as **Exhibit 129** is a true and correct copy of a screenshot of Mason Rothschild's Twitter, <https://twitter.com/MasonRothschild>, captured on October 4, 2022, using PageVault.

130. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: October 7, 2022
New York, New York

By: 
Megan A. Corrigan